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ABSTRACT

This volume contains two papers concerning appropriate accommodations that can be made in the areas of grading and granting credits and diplomas for mildly handicapped high school students. The first paper discusses grades for students with disabilities who are mainstreamed in general education classes. It presents seven guiding principles that address procedures for approving and monitoring adjustments to regular class content, expectations, standards, or grading practices and for reporting student performance. Also enumerated are alternative methods for evaluating students (e.g., administering oral or shortened tests, increasing time allowed for assignment completion, peer tutoring) and for reporting and grading (e.g., through contracts, use of pass/fail, parent conferences). The second paper concerns granting appropriate credits and diplomas to students with handicaps who are enrolled in special education programs. It takes the position that policies and practices on graduation can be developed that are nondiscriminatory and equitable for both handicapped students and their nonhandicapped peers. Four principles are presented that tie the awarding of a diploma to credit requirements, curriculum, individualized educational programs, and transcripts. A review of relevant litigation, examples of evaluation forms and transcripts, annotated bibliographic citations, and copies of local school district policies are also included. (VW)

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Grading - Credit - Diploma

Accommodation Practices For Students With Mild Disabilities

Iowa Department of Education
Bureau of Special Education

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Accommodation Practices For Students With Mild Disabilities

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PREFACE

Discussions about grading students with disabilities and awarding credits and diplomas to students enrolled in special education programs can provoke some interesting debates. "Give Sandy credit for her program in the resource room! Why? She couldn't handle the basic tenth grade math class. Why should she be able to earn a credit through the resource program?" Or, "Sure Casey should get a diploma. He's earned it! Let me tell you about what he's accomplished in the special class during the past three years. He's better prepared for independent living and taking his place in the community than some of the students who completed the school's regular curriculum."

The debates can sometimes become extremely heated. And rightfully so. Grades, credits, and diplomas are important to students. Grades and credits are to some degree the "gate" of opportunity to advance schooling. They can be the difference between acceptance or rejection into a four-year or two-year college program. Diplomas can also make a difference for an individual—the difference between getting a job or continuing to search for employment.

Grades, credits, and diplomas are important to schools and communities. Together they provide a measure of accomplishment not only for individual students, but the school as a whole. They do present a "picture" of the school and community.

Indeed, the issues surrounding grading and credit policies and practices, and awarding diplomas are complex. The addition of students with disabilities and special education programs to the formula can provide more fuel to a sometimes already roaring fire. Fairness and accurate representation of students' achievement can become even cloudier.

The information, ideas, and practices offered in the following pages are presented to stimulate the development of policies and procedures that provide options—options for students and options for schools. Throughout the development of the document, the points of fairness, meaningfulness, and equitableness were foremost considerations. The goal was to present practices that are practical and usable.

To Art Miller and Roger Hess, many thanks for your time, efforts, and contributions. Special "thank your" to Jeri Burdick Crane and Teresa Sullivan for their persistence and patience in typing the many drafts of the document and preparing the final copy for print. Without these four individuals, the document would not have arrived.

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Grading

Since the advent of the Education of All Handicapped Children Act of 1975 (Public Law 94-142) that mandated an appropriate educational program in the least restrictive environment for handicapped students, students with disabilities have participated in general education classes in school settings. This mixing of handicapped and nonhandicapped students in general education classes has in part fulfilled the intent of both statute and regulation. However, it has created a dilemma for educators in terms of grading students with disabilities fairly and objectively.

Students with disabilities are being integrated into general education courses more frequently. General educators are providing the necessary accommodations required by these students. Unfortunately, grading these students, which often is a difficult task even in the special education program, continues to be a major issue.

We, as educators, must realize that for years we have placed students with disabilities and other low-achieving, nonhandicapped students in the position of experiencing only failure, not because the students can't learn, but because we have become inflexible.

Vassa (1980) has stated that the traditional grading system, or the comparing of individuals with the rest of the class, is no longer appropriate because there is little merit in verifying that students with disabilities do not perform as well as nonhandicapped students on traditional classroom tests and assignments. In addition, Carpenter (1985) has observed that individuals who assign grades may have several intended purposes for the grade and that individuals who read the grades may interpret several messages (see Table 1, p. 2-3). As a result, the possibility of failure to communicate clearly, accurately, and fairly in the grading process is greater than desirable. However, Barresi and Mack (1980) have stated, "If we assume that graduation is the ultimate goal of all students as a conclusion of their formal educational experience, we must also recognize that evaluation or grading play an important role in documenting the completion of that experience (p. 12)."

Given the variety of purposes or functions of grading, the added dimension of the challenge presented by students with disabilities, and the idea that grading is an important aspect in documenting the educational experience of students, assignment of grades has created and will continue to create much debate within the educational community. No single best practice has been identified to resolve the problems inherent in assigning grades to students with disabilities who make a sincere effort, but because of their disabilities simply cannot measure up to either the teacher's standard or the school's standard in terms of meeting all the criteria for a given course or class when traditional methods of assessment, instruction, and grading are used.

In an effort to provide the reader with assistance in attempting to determine an appropriate course of action to take in this topic area, seven statements of principle will be presented with accompanying rationale and suggestions for application. Consideration of these

TABLE 1

Purposes for Grades*

Administrative Functions

. . . to indicate whether a student has passed or failed
. . . to indicate whether a student should be promoted or not
. . . to indicate whether a student should graduate or not
. . . to be used by employers in evaluating prospective employees
. . . to transmit information from one school district to another
. . . to consolidate records of students' learning and work done so far
. . . to enable a course to be evaluated
. . . to give schools public accountability
. . . to provide the public with a guarantee of competence
. . . to provide college admission departments with patterns of student performance

Student Functions

. . . to give students a reward and sense of achievement
. . . to give students feedback on progress
. . . to motivate students
. . . to give students experience of competition
. . . to test ability to stand up to stress and pressure
. . . to give students experience of real-life situations
. . . to prepare students for a stratified society
. . . to test performance in real life

Teacher Functions

. . . to evaluate students' progress during the course
. . . to assess amount of effort put in by the student
. . . to give feedback on teaching
. . . to grade in relation to other students
. . . to grade in relation to criteria of excellence
. . . to maintain standards
. . . to maintain staff authority over students

Guidance Functions

. . . to assist personal development of students
. . . to predict future performance
. . . to provide for screening of candidates for occupations and schools
. . . to stimulate students to greater efforts
. . . to determine the number of courses in which a student should enroll
. . . to decide on the advisability for enrolling in other courses
. . . to permit participation in school activities, play on teams, and win scholarships
. . . to perserve the existing structure of society

TABLE 1 (Cont'd)

Parent Functions

. . . to give parents feedback on student progress
. . . to provide parents with information about appropriateness of course placement
. . . to provide parents with a means of evaluating the success of the IEP
. . . to provide parents with information to report to their friends on the student's performance

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* From Alternative procedures for grading handicapped students in the secondary schools (unpublished manuscript), (p. 4-5), by S. F. Vassa, February, 1980.

principles may give guidance to local districts in how to effectively and efficiently measure the performance variables associated with the instructional process for students with disabilities. The paper is organized into three sections: Guiding Principles, Alternative Evaluation Procedures, and Alternative Reporting and Grading Methods. The paper includes an annotated bibliography and sample grading policies (Appendix A).

GUIDING PRINCIPLES

Principle 1: Participation of students with disabilities in general education classes shall be determined by the IEP team and noted on the IEP of the students involved. The IEP shall also indicate any instructional and assessment accommodations that need to be made for students to participate in general education classes.

Rationale. While the "grading" of mainstreamed students with disabilities presents some unique problems, it is only one component of the overall accommodation necessary to provide these students with a challenging, yet successful, experience in the general education setting. As used in this context, the term "accommodation" refers to the acceptance and understanding demonstrated by general education teachers of students with disabilities placed in their classes. Accommodation may take the form of modifying the amount and type of course content presented to the students; modifying the manner in which the content is presented to the students; modifying the method used to ascertain whether or not students have learned the content presented (classroom assessment); and, modifying the method of reporting student progress and performance (grading). It is conceivable that changes in district or teacher standards, or district policy or grading practices would be unnecessary, if acceptable and practical "accommodations" are made in the manner in which course content is presented and in the way mastery of the content is assessed for students with disabilities. There may be circumstances, however, when modifications to the methods of content presentation and evaluation are not sufficient, and adjustments need to be made in the amount and type of content to be covered, and how the students are to be graded. It is only in the latter circumstances that district policy regarding grading and the method of reporting grades is affected.

Regardless of the type of modifications to the general education program students may require, the accommodations should be included in the Individualized Education Program (IEP) of the students since this document establishes the basis of all special education programming. The IEP team* determines which general education classes would provide appropriate

*Iowa's Rules of Special Education state that the IEP team "shall include: A representative of the agency, other than the pupil's teacher, who is qualified to provide or supervise the provision of special education; the pupil's teacher; a member of the diagnostic-educational team; a teacher or other specialist with knowledge in the identified disability area; one or both of the pupil's parents ...; the pupil, if appropriate; and other individuals as designated by the parents, school district or director." (Education [670]-12.18(2)b, Iowa Administrative Code)

content and experience(s) for the students. Accommodations for the students in the general education program would be included in the IEP, and the team would monitor the students' progress and performance. If the accommodations have been implemented and the students are still experiencing difficulty in mastering the content, the IEP team needs to consider whether other adjustments are necessary or whether withdrawal of the students from the general education class is justified. The IEP team, however, should not be too quick to suggest alternative evaluation or grading procedures if it has been determined that appropriate instructional and assessment accommodations have not been implemented.

Accommodation of the learning environment to the special needs of students with disabilities are both common sense and good teaching practice. The intent of accommodating learner differences is not to require less of the students with disabilities, but to focus on how students learn most effectively and efficiently given the individual differences of their disabilities.

Application. At the annual review or the three year re-evaluation conference, the IEP team members should consider what general education classes are appropriate for students with a disabilities. Emphasis should be placed on whether or not the content and/or skills taught in the general education class is appropriate for the future academic, social, or career goals of the students involved. If such course(s) are identified, any accommodations needed in the instructional and assessment area are noted on the IEP. This process guarantees the participation of the students, parents, special education teacher, and general education teacher in all facets of planning the students' program.

Principle 2: Any adjustments to the content, expectations, standards, or grading practices of a general education class for students with disabilities shall be determined by the IEP team and noted on the IEP of the students.

Rationale. The point of this principle is to reinforce the concept alluded to previously that when adjustments are made to the content, expectations, standards, or grading practices of a general education class for students with disabilities, the decision for such adjustments rests with the IEP team, not an individual. The reason for this is to insure that consideration is given to such adjustments prior to participation in a class and to insure that instructional and assessment accommodations are considered first. The discussion should also focus on insuring the appropriateness of the content for students.

Application. As described in Principle 1, the IEP team determines the adjustments and accommodations that students require, and monitors the program and performance of the students. This information is included in the IEP.

Principle 3: When adjustments to regular class content, expectations, standards, or grading practices are necessary, the IEP team shall develop a system for monitoring and reporting the performance of students that is clearly defined, based on objective criteria, and explained to the student and his/her parents.

Rationale. The purpose of this principle is to insure that the criteria for evaluating the students are clearly specified in an effort to prevent problems at any time when grades are issued. Also, by including both the regular class teacher and the special education teacher, there should be a balance to the grading and hopefully less of a question regarding fairness. A drawback of this principle would be the inability of the two teachers to function as a team. A building principal, guidance counselor, or special education consultant could be assigned to mediate any potential disagreements.

For lower functioning students who are still within the mild range of disabilities and who are able to participate in general education courses this principle is critical. Often these types of students enroll in, or are placed in, general education courses without an understanding of the course demands, teacher expectations, or prerequisite academic/social skills. Although students may withdraw once the course begins, the realization of inadequacy creates a very discouraging situation. Regular teachers, with the assistance of special education teachers, should develop a Course Syllabus which would include the following information:

1. types of work to be completed by the students,
2. the quantity of work to be completed by the students,
3. a statement as to how the grade for the students will be determined,
4. a statement of how the quality of work will be determined, and
5. timelines for the completion of work, when appropriate.

Application. Students with disabilities are being enrolled in a general education "Introduction to Foods" course in Home Economics. The IEP team develops the course requirements, expectations, grading criteria, and any recommended changes required by the disabilities of the students involved. A sample format for presenting this information is presented in Figure 1.

Principle 4: Whenever students with disabilities earn credit through an individually prescribed program provided by a special education program, the system for monitoring and reporting the performance of students shall be clearly identified, based on objective criteria, and included as part of the IEP. The special education teacher shall be responsible for monitoring and reporting the performance of these students.

Rationale. Special education programs should have a grading system similar to or based upon the school district's policy for general education. Dual systems create confusion for students, parents, and school staff. Ideally, a school district should develop a grading system or policy that is applicable to students in both general and special education, thus avoiding the problem of confusion. As general education teachers are responsible for the grading of students in their classes, so are special education teachers responsible for the monitoring and reporting of student performance in the special education program.

Application. If the district policy for general education involves percentage based criteria for determining "grades" (e.g., 95% = A, 86-94%

FIGURE 1

Sample Format for Presenting Course Requirements

1. Types of work to be completed by students:
   a. Read test and pamphlets
      - recipes with abbreviations and equivalents
      - tables
      - menus
   b. Demonstrate ability to:
      - measure ingredients
      - use and care for large and small appliances
      - follow kitchen safety rules
      - practice good nutrition and weight control
      - recognize four basic food groups
      - write menus
      - prepare meals
   c. Successfully complete written, oral, and competency tests
2. The quantity of work to be completed by student:
   a. Read chapters 1-10, 12, and 16 of text
   b. Participate in two group projects
   c. Prepare a meal for four people individually
   d. Take weekly quizzes, ten unit tests, and 1 final examination
3. The "grade" for the course will be determined as follows:

Weekly Quizzes - 10 points each =	180 points
Unit Tests - 25 points each =	250 points
Group Project - 50 points each =	100 points
Meal Preparation - 300 points =	300 points
	830 points

   747-830 points = A
   664-746 points = B
   581-663 points = C
   498-580 points = D
   0-497 points = F
4. The quality of work will be determined by the Home Economics Instructor based on objective test data and direct observation of the students
5. Timelines for completion of work are:
   a. Assigned readings are due to be completed weekly
   b. Group projects must be completed within two weeks after assignment
   c. Individual meal preparation must be completed prior to the end of the semester

This course was reviewed on
(Signatures)

_____	_____
Student	Home Ec. Teacher
Special Ed. Teacher	Guidance Counselor
Parent	Principal

= B, etc.), then the special education program should adopt a system that builds upon the policy. This is paramount if students who receive instruction in special education programs are candidates to be mainstreamed into general education courses.

Principle 5: School districts shall permit and encourage the use of alternative methods of reporting progress and performance of students with disabilities who participate in general education classes when necessary.

Rationale. As is the case in general education, students who receive their instructional program in special education vary a great deal in their levels of intellect, achievement, and adaptive behavior functioning. Acknowledging that these students are spread across a broad continuum challenges special educators to develop a method that equates the performance of individuals within the context of their abilities and in comparison to handicapped and nonhandicapped peers. It is true that this is a difficult assignment, yet it is one that general educators have always been charged with in providing formal instruction to students without disabilities. By definition, students with disabilities may possess normal (e.g., students with learning disabilities or behavioral disorders) or near normal to borderline intelligence (e.g., students with mild mental disabilities). They are capable of conceptualizing and learning a wide variety of subject matter. However, these same students may not be able to demonstrate mastery of the material in traditional written tests or through written assignments. A case in point is the traditional vocational education program where students with disabilities, who may be very good with their hands are prevented from actually using the "tools of the trade" simply because they cannot pass a paper/pencil "safety test". Special and general education teachers should be encouraged to seek alternative evaluation methods for determining levels of mastery and seek alternative methods for reporting or assigning grades to students with disabilities.

Application. The upcoming sections of this paper entitled, "Alternative Evaluation Procedures" and "Alternative Reporting and Grading Methods" provide ideas for implementing this principle.

Principle 6: The system for reporting progress and performance of students shall include three separate reports or grades which indicate:

1. how students are progressing relative to their abilities,
2. how the performance of students compares to other students of their age and grade level,
3. how the effort of the students contributes to their progress and performance.

Rationale. Traditionally, students receive one grade which indicates both academic achievement and effort put forth by the students. Carpenter (1985) suggests:

> When more than one measure is intended, more than one grade should be used. If an educator wants to reflect progress and effort, two grades should be used. One grade cannot adequately communicate that students may have tried to progress but did not succeed to the extent

expected. Similarly, admirable progress that still falls short of a mastery level cannot be represented by a single grade. A grade should be used for each major message intended (p. 58). The use of separate reports or "grades" can resolve the issue of maintaining school and teacher standards while providing useful information to students and their parents.

This principle addresses the problem described by Carpenter. The first "grade" indicates how the students are performing when consideration is given to their strengths and weaknesses. This grade would indicate whether or not the students have demonstrated mastery of the course content using adapted evaluation practices, presentation techniques, and/or special assistance. The second grade, or traditional grade, would be determined based on the comparison of the performance of the students to a pre-established "standard" or to other nonhandicapped students. The third grade would indicate how the effort of the students contributes to their progress and performance. If the students demonstrate limited effort, a motivation component may need to be included in the IEP. If the students are not progressing relative to their abilities, further accommodations may need to be made in the type and quantity of material presented, the technique of prevention, and/or the evaluation procedures.

This principle also addresses the difficult situation which arises when special education students are mainstreamed into a general education course for the purpose of social interaction. Decisions need to be made as to who will provide the grade for the students, what criteria shall be utilized, and what will the grade represent (e.g., academic effort, social effort, both, etc.)

Principle 7: The system for reporting the progress and performance of students shall clearly state what the students must do to improve their performance.

Rationale. Cohen (1982) has stated:

> For the individual student, report card grades are of little value. They are too broad to provide truly useful information. For example, a grade of "C" (average) or "U" (unsatisfactory) in math does not indicate whether the child has achieved any new knowledge, what problems exist, or whether there has been an increase in work effort during the marking period. Instead, the grade merely denotes a comparison among student peers, and for the mainstreamed child this comparison in itself can be problematic.

Grades need to provide more descriptive information by showing the gains of students and identifying specific needs for improvement (Vasa, 1980). Of course, implicit in this principle is the assumption that the teacher knows what the students can do and needs to do in order to improve performance.

Application. The use of a checklist of skills easily lends itself to the task of informing students as to what they must do to improve their performance. A narrative report to students and their parents represents another method. For example, students with disabilities are enrolled in a

general education developmental mathematics class. A unit is being taught on hand calculator usage. Rather than simply giving students a letter grade on their mastery (or lack of mastery) on calculator usage, the general education teacher uses a checklist such as the one presented in Figure 2. A checklist provides descriptive information to all parties concerned, particularly students, on what has and has not been mastered, and identifies the specific skills or material that students need to master or learn in order to improve their performance.

FIGURE 2

	Successfully Completed	Needs Further Work	Not Attempted
1. Identify the following hand calculator keys: on, off, C, CE			
2. Identify the following hand calculator keys: +, -, =, X, -			
3. Compute written addition problems using a hand calculator			
4. Compute written subtraction problems using a hand calculator			
5. Compute written multiplication problems using a hand calculator			
6. Compute written division problems using a hand calculator			
7. Use a calculator in a functional manner when shopping			

ALTERNATIVE EVALUATION PROCEDURES

As a component of general education accommodation for students with disabilities, the use of alternative evaluation methods may provide general education teachers with a more accurate assessment of the mastery of material and information presented to the students in their classes. In addition, students will be able to demonstrate the knowledge they have acquired. Although there is some additional time required on the part of general education teachers to set-up these alternative evaluation procedures, once established for a given course, the procedures may be used semester after semester with other students with disabilities as well as other low achieving students. Examples of alternative evaluation procedures are presented in Table 2.

TABLE 2

Alternative Evaluation Procedures*

Types of Modification	Procedures
Verbal Tests	Test administered verbally by the teacher, paraprofessional, peer, or other individual to permit student to complete similar requirements. This modification circumvents reading difficulties.
Shortened Test	Reduce the number of test items on a scale to permit additional time for completion or remove items which require more abstract reasoning or have high difficulty level.
Levels of Questions	Use different levels of questions for different students. This modification is similar to shortened test, but the items are written at a more concrete level.
Frequency of Tests	Utilize short written or verbal measures given on a frequent basis—daily or weekly—to assess student progress. This alternative allows for more frequent feedback on student progress.
Length of Time for Completion	Increase the amount of time a student has to complete the measure to allow for slower writing, reading, and comprehension. This modification is an important consideration with many students.
Types of Responses	Provide for short answer or simple marking of the correct response by the student. Measures should be matched to student's response strengths.
Verbal Review of Literature	Substitute verbal review of literature for testing. Have student review the course or unit content with teacher, paraprofessional, peer, or resource teacher. This adjustment permits the student to present what they have learned and doesn't require that they be limited to tests' items.
Peer Tutoring	Include peer tutoring for teaching and testing purposes. Permits students to learn from their peers who often present materials more clearly than the teacher. This procedure does need to be monitored and the peer tutor should receive some basic training.

Development of Instructional Packet	Have student develop a packet of materials to show knowledge and understanding of content of the unit. The student is then able to show what he or she believes is important.
Checklists	Use developmental checklists to permit the observation of student learning in a sequential and organized way that shows student progress. Checklists are good in academic-content courses and vocational courses. They permit the teacher to limit the number of formal tests, but still assess student performance.
Class Interaction	Assess student participation in discussion which indicates student mastery of content.
Course Projects	Measure progress toward final course product. In vocational classes, the standards may need to be altered when making comparisons with other students.
Performance Based Assessment	Have the student demonstrate the task or skill while the teacher assesses performance using a a task analysis chart.

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*From Alternative procedures for grading handicapped students in the secondary schools (unpublished manuscript) (p. 14-15) by S. F. Vassa, February, 1980.

ALTERNATIVE REPORTING AND GRADING METHODS

If students with disabilities have been successfully accommodated in general education classrooms, i.e., instructional materials have been modified, instructional presentation has been modified, and alternative evaluation methods used, it may not be necessary to implement alternative reporting or grading procedures. However, there may be circumstances, if, for whatever reason, little or no accommodation takes place in general education classrooms, then one or more of the following procedures could be used.

1. Contract: A contract is an agreement between the classroom teacher and the students about the quantity, quality, and timelines required to obtain a specific grade. A contract is often an extension of the goals and objectives of a students' IEP. In other cases, the teacher may state the conditions of the contract.

   Example.
   - If (student) comes to class regularly, turns in all the required work which is completed with % accuracy, and does one extra credit assignment/project, he/she will receive an "A".
   - If (student) comes to class regularly, turns in all the required work with % accuracy, he/she will receive a "B".
   - If (student) comes to class regularly, turns in all the required work, he/she will receive a "C".
   - If (student) comes to class regularly or turns in 80% of the required work, he/she will receive a "D".
   - If (student) does not come to class regularly and turns in less than 80% of the required work, he/she will receive an "F".

2. Pass/Fail: The general education teacher and other IEP team members identify the minimum competencies for a given course. The successful completion of the minimum requirements or competencies permits the student to pass the course. No letter grades are given.

   Example. A student with a disability is placed in an American History class because the IEP team has determined the content to be appropriate and the student has a desire to take the course. The general education teacher and IEP team determine that the following minimum competencies must be met in order for the student to "pass" the course:

   a. Be in attendance 90% of all class periods each semester.
   b. Complete 75% of the daily work with 60% accuracy.
   c. Complete a class project (with peer assistance if necessary).
   d. Participate in class discussions and projects.
   e. Score 60% on all weekly and semester tests.

   Pass/Fail: Teacher identified minimum competencies expected in a given course. If the student demonstrates mastery of those cmpetencies, he/she passes; if not, he/she does not pass. These competencies can be a reflection of the goals and objectives of a student's IEP.

Example. A unit on community mobility is being presented. The teacher has identified four basic (minimum) competencies of which the student must demonstrate matery. They are:

- Ride a city bus to and from school unassisted.
- When sent to a grocery store to purchase specified items, find the items, pay for them, and return unassisted.
- Order and pay for a meal in a restaurant unassisted.
- Attend a movie or play unassisted.

3. Checklists: The general education teacher lists the goals and objectives of a given course or unit and then checks off the objectives as they are achieved or mastered by the student. Grades may be assigned based on the number of objectives successfully completed with due consideration given to the student's disability.

Example. The student has been enrolled in a basic skills English class. The teacher is about to present a unit on "Newspapers". The teacher develops a checklist based on the unit objectives such as the examples presented in Figure 3 and 4.

FIGURE 3

Example Checklist for Reporting Student Performance

	Successfully Completed	Needs Further Work	Not Attempted
1. List in writing five reasons to read newspaper.			
2. Read five articles and write summary comments on each.			
3. Demonstrate understanding if the difference between international, national, state and local articles by circling and correctly labeling each.			
4. Locate various sections of paper when asked.			
5. Demonstrate understanding of difference between "fact" and "opinion".			

FIGURE 4

	Successfully Completed	Needs Further Work	Not Attempted
1. Orient self to break area			
2. Identify when it is appropriate to take a break			
a. a set time on clock			
b. after completion of designated task			
3. Appropriately use break time by participating in approved activities.			
4. Identify when break time is over and return to designated area			
5. Orient self to break/lunch areas at community work site.			
6. Identify when it is appropriate to take a break/lunch			
a. a set time on clock			
b. complete designated task			
7. Appropriately use break time by participating in approved group or individual activity.			
8. Identify when break is over and return to work			

4. Narrative Reports: Narrative reports can range from teacher-written letters reporting student progress and performance to student and parents, to teacher comments under various headings on an established reporting form. Annual review reports are typical of narrative reports where the teacher can make comments relative to student effort, progress, and performance in a given class.

5. Multiple Reporting: This reporting alternative provides information on a variety of items, such as competence, achievement, effort, attendance, etc. The reports can be provided on a weekly, bi-weekly, monthly, or quarterly schedule.

   Example. The example in Figure 5 is from the Dubuque Community School's Career Education/Vocational Education Curriculum, "Learner Profile Checklist". It illustrates a multiple system and the types of information that can be provided to students and parents.

6. Parent Conference: Quarterly and semester meetings between parent, teacher, and student. The conference, whether it be at a three year re-evaluation, annual review, or other scheduled meeting between teachers and parents, should provide sufficient time to review student progress and discuss student performance. The teacher should present specific information such as dated examples of work completed, comments regarding social skills supported by anecdotal records, and achievement relative to the student's specific strengths and weaknesses.

Name _____

School _____

III. ACADEMIC	GOOD 1	AVERAGE 2	BELOW AVERAGE 3	POOR 4	SOURCE OF INFORMATION	INITIAL SKILL ASSESSMENT	DATE ASSESSED	DESCRIPTIVE COMMENTS
					If student is rated 4, please make a brief comment as to why			
1. Reading								
A. Overall					Stanford Diagnostic Reading Test (Brown) S P I B	8th or 9th		
B. Functional					Brigance (Red) Section B pp. 34-48	8th or 9th		
2. Written Expression					Teacher Observation	8th		
A. Legible					TOWL	or		
B. Conveys thought						9th		
3. Math					Stanford Diagnostic Mathematics Test (Brown Level)	8th		
A. Overall					Keymath S P I B			
B. Functional								
Four operations								
Money					Keymath			
Time					Profile attached	8th		
Applications					No profile attached	or		
Measurement					Brigance (Red)	9th		
4. Oral Expression					Teacher Observation	8th		
A. Overall verbal skills								
B. Functional Conveys thought					Teacher Observation	8th		
5. Learning Style					Teacher Observation	8th		
Auditory						or		
Visual						9th		
Tactile								

IV. CAREER/OCCUPATIONAL SKILLS	1	2	3	4				
1. Can Follow Directions					Keystone ABSD (School Coping #4)	8th		
A. Verbal						or		
B. Written & Graphic					Teacher Observation	9th		
2. Self Direction					Keystone ABSD			
A. Task					Out of School 17-20	8th		
B. Follow through					Out of School 29	or		
					In School 1-4	9th		
3. Reliability/Punctuality					Attendance Record	8th		
A. To job					Teacher Observation			
B. To task								
4. Money Skills					Brigance (Red)	8th		
A. Calculation					Section W pp. 284-287	or		
B. Making change						9th		
5. Use of Free Time (Lay over between tasks)					Teacher Observation	High		
					Site Evaluation	School		
6. Co-Worker Relationships					Site Evaluation	High		
A. Cooperation					Teacher Observation	School		
B. Interaction								
C. Groups								
7. Expression of Interest in Work					Site Evaluation	High		
					Teacher Observation	School		
8. Safety Consciousness					Teacher Observation	High		
					Site Evaluation	School		
9. Desire to Improve					Teacher Observation	High		
					Site Evaluation	School		

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School _____

IV. CAREER/OCCUPATIONAL cont'd	GOOD 1	AVERAGE 2	BELOW AVG 3	POOR 4	SOURCE OF INFORMATION	SCHOOL ASSESSING	DATE ASSESSED	DESCRIPTIVE COMMENTS
					If student is rated 4, please make a brief comment as to why			
10. Acceptance of Criticism					Site Evaluation Teacher Observation	High School		
11. Ability to Learn Routines A. Simple B. Complex					Site Evaluation Teacher Observation	High School		
12. Problem Solving Skills					Site Evaluation Teacher Observation	High School		
13. Organization Skills					Site Evaluation Teacher Observation	High School		
14. Appropriate Dress and Grooming					Site Evaluation Teacher Observation	High School		
15. Ability to Stay on Task					Site Evaluation Teacher Observation	High School		
16. Attention to Detail					Site Evaluation Teacher Observation	High School		
17. Measurement Skills A. Linear B. Time C. Money					Site Evaluation Teacher Observation	High School		
18. Setting Up Cleaning Up					Site Evaluation Teacher Observation	High School		
19. Leadership Potential					Site Evaluation Teacher Observation	High School		
20. Personal Judgment					Site Evaluation Teacher Observation	High School		
21. Ability to Work Within Standards and Limits					Site Evaluation Teacher Observation	High School		

INTEREST/APTITUDE/VALUES	1	2	3	4				
1. Student Interest					McKnight C.I.S.I.	High School		
2. Interest Inventory					P.I.E.S. VRIOT Kuder	9th		
3. General Capacity					Wisc-R (Psych Report)	9th		
4. Specific Aptitudes					G A T B M A T B E B C E	9th & 10th		
5. Value Clarification					McKnight Program	9th & 10th		
6. Life Goals					My Vocational Profile	High School		

23

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SUMMARY

This paper has presented information related to the difficult issue of accommodating and grading students with disabilities who participate in general education classes. Although little research exists regarding this subject, the paper has presented a number of principles designed to spur thought toward the development of school policies that would provide for accommodation of students with disabilities in the "mainstream". Alternative methods for evaluating students and alternative methods for reporting grades have been discussed. Sample policies demonstrating shifts from traditional grading practices have also been presented in the hope that districts would use them as "take-off" points in the development of their own policies.

We, as educators, must realize that for years we have placed students with disabilities and other low-achieving, nonhandicapped students in the position of experiencing only failure, not because the students are unable to learn, but because we have become somewhat inflexible in our practices.

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Barresi, J. & Mack, J. (1980). Diplomas, graduation requirements, and grading procedures for handicapped students: A policy research report. Reston, VA: The Council for Exceptional Children.

The authors provide a list of modifications to graduation requirements for handicapped students. In addition, information regarding alternative approaches to satisfying graduation requirements are also presented. A special section of the report is devoted to the exploration of the relationship of the Individualized Education Program (IEP) to graduation requirements. Finally, discussion is given to evaluation and grading of handicapped students.

Butler, S., Magliocca, L., & Torres, L. (1984). Grading the mainstreamed student: A decision making model for modification. The Directive Teacher, Summer/Fall, 6-9.

The authors present a model for the modification of the grading process that takes into account a student's physical, cognitive, emotional, and sensory characteristics. Emphasis is placed on the inter-relationship between established grading and reporting systems to the actual assignment of a grade. Methods of modifying existing grading systems to reflect more precisely the performance of a special student in a general education class.

Carpenter, D. (1985). Grading handicapped pupils: Review and position statements. Remedial and Special Education, 6(4), 54-59.

The following abstract was taken directly from the article:

A review of grading issues, philosophies, and recommendations is provided with implications and specific suggestions for grading mainstreamed handicapped pupils at the secondary level. A synthesis of available literature examines the wide range of viewpoints regarding optimal grading practices for general students and for remedial and handicapped pupils. A position statement related directly to grading secondary mainstreamed handicapped pupils concludes the paper (p. 54).

Cohen, S. B. (1983). Assigning report card grades to the mainstreamed child. Teaching Exceptional Children, 88-89.

The article describes in detail the problem of resource room teachers assigning grades to students in mainstream situations. Also addressed are the inherent problems with traditional report card grades and grading procedures. Emphasis is placed on daily corrective feedback from the general education teacher and the communication process between the general and special teachers.

Kirschenbaum, N., Napier, R., & Simon, S. (1971). Wad-ja-get? The grading game in American education. (pp. 298-305). New York: Hart Publishing Co.

Descriptions, advantages, and disadvantages are presented at alternative evaluation procedures, such as "Contracts", "The Mastery Approach or Performance Curriculum", and "Pass/Fail".

Riggs, A. (1981). A survey of special education credit and diploma practices in Iowa. DPI Newsletter, III(1).

Statistics from a questionnaire sent to 460 principals of secondary schools in Iowa provide information related to whether or not credit is granted for participation in special programs, the type of diploma or certificate awarded, and transcript notation. In addition, the Pekin Community High School Alternative Grading, Credit, and Graduation Policies for the Resource Teaching Program are included in total.

Ross, J. & Weintraub, F. (1980). Policy approaches regarding the impact of graduation requirements on handicapped students. Exceptional Children, 200-203.

The following abstract was taken directly from the article:

Graduation requirements and their impact on all students, but especially on handicapped students, are coming to the educational forefront today as an issue that focuses both on a student's ability and on the school system's accountability. The issue requires the creation of a flexible policy that reflects the individual differences of students to attain a particular level of educational achievement. The Policy Options Project has identified five policy approaches regarding graduation requirements and their anticipated impact on handicapped students to assist policy makers in addressing this issue (p. 200).

Vasa, S. (1980). Alternative procedures for grading handicapped students in the secondary schools. (Unpublished).

Dr. Vasa reviews current practices and the variety of purposes of grading. Critical issues related to grades and the grading process for handicapped students, such as how grades are determined, teacher attitudes, "watered-down curriculum", and comparative grading are discussed. Alternative grading and evaluation practices are presented in detail, listing advantages and disadvantages of each technique. Samples of alternative techniques are also presented.

Zigmond, N., Levin, E., & Laurie, T. (1985). Managing the mainstream: An analysis of teacher attitudes and student performance in mainstream high school programs. Journal of Learning Disabilities, 18(9), 535-541.

The following abstract was taken directly from the article:

Four studies were undertaken in 12 urban high schools to explore the accommodations power of mainstream secondary schools and the extent to which teacher attitudes and student behaviors contributed to failure of learning disabled students in regular high school classes.

Findings suggest that mainstream teachers recognize the low achievement of LD students but do very little that is different instructionally when these students are assigned to regular-content classes. The one adjustment that is commonly made is to lower grading standards so that LD students have a good chance of passing the course. In fact, most LD students received passing grades in most of their mainstream courses and most failing grades were in courses in which attendance records were extremely poor (p.535). Note: fascinating reading.

APPENDIX A

PEKIN COMMUNITY HIGH SCHOOL
ALTERNATIVE GRADING, CREDIT, AND GRADUATION POLICIES
FOR THE RESOURCE TEACHING PROGRAM

Rationale

We recognize the fact that some students have learning difficulties that prevent them from successfully competing for grades under the traditional system. We believe also that failure is very detrimental to a student who is making a legitimate effort. Therefore, this policy is intended to allow resource room students to be graded on an individual basis, according to their abilities, rather than against a broad standard.

Eligibility

Any high school student staffed into the resource room will be eligible. Eligibility will be determined by individual subject, so that it is possible for a student to be taking some classes under the traditional grading system and others under the alternative system.

Procedure

Any resource room student whose course work is adapted by either a change in curriculum materials or in expected levels of performance may use the alternative grading policy for the duration of that course. Parents will be notified in writing which classes are being graded under the alternative system. The alternative grades will be determined jointly by the regular and special educators. In cases that the regular and special teachers cannot agree on a student's alternative grade, the high school principal will make the final decision after considering both teachers' positions.

Marking System

Students will receive letter grades of A, B, C, D, or F on the report cards. The course title, however, will be marked with an asterisk. Example: *English I. The asterisk will refer to a notation at the bottom of the grade card which reads: "Program adjusted to individual's ability."

Impact on Student Records

1. Students who take courses under this grading system will be eligible for the high school honor roll only when all courses they are taking are traditionally graded.
2. Courses taken under this grading system will be figured to Grade Point Average (GPA) but not to class rank. The GPA, however, will be marked with a double asterisk and will include an explanation which reads: "Some courses were evaluated by using an alternative grading policy." Example: GPA **2.5.
3. Full credit will be awarded for each course successfully completed under this grading system.
4. Transcripts sent to other educational institutions and to prospective employers will include an explanation of this grading policy which reads: "Program adjusted to individual's ability."

Credit for Special Program Participation

Students will be awarded credit toward graduation for satisfactory grades earned through the resource room. This credit will be granted in addition to that which they may receive for participation in regular classes. The amount of credit awarded will be determined by these criteria:

1. A student who is scheduled into the resource room for study skills will be awarded 1/2 credit per semester for satisfactory performance five periods per week. This will be recorded on the grade card as credit (CR) or no credit (NCR).
2. A student who is removed from a required class or classes will be awarded full credit for each course taught by the special educator under the supervision of the regular classroom teacher certified in that subject area. On the grade card, these subjects will be identified with an asterisk. Example: *English I.
3. Courses designed to fulfill individual programming needs as listed on a student's Individualized Education Program (IEP) will be taught by the special educator. Such courses may include the areas of work experience and remediation in math or reading. Grades of credit (CR) or no credit (NCR) will be recorded on the student's grade card.

Graduation

A student who has satisfied the credit requirements for graduation and has completed the educational program outlined in his Individualized Education Program will be graduated from Pekin Community High School with the same considerations as any other graduating senior that has met all the graduation requirements. This will include a regular diploma and any other recognition granted to a student in the regular education program.

DRAFT

ALTERNATIVE PROCEDURES FOR GRADING MILDLY HANDICAPPED STUDENTS IN THE SECONDARY SCHOOLS OF THE DUBUQUE COMMUNITY SCHOOL SYSTEM

PHILOSOPHY: As educators of mildly handicapped individuals, we feel grades should be an aid to evaluating a student's performance and to inform parents of their child's progress. The purpose of evaluation is to assess the child's performance in accordance with both the objectives of the curriculum and each child's own individual capabilities.

Teachers face the problem each reporting period of what would be a fair and equitable way to mark the performance of a student who seems to try very hard but just doesn't perform very well. The problem is magnified for the vocational teacher or content-area teacher by the concern about standards and providing an accurate picture of the student's performance in the "world of work". Realistically, the only agencies which regularly ask schools about class rank are colleges and vocational/technical schools. Generally, other agencies only want to know if the student has completed a program. They are more concerned about the student's ability to relate to others and to work in a cooperative way with others. Graduation from a school program does not necessarily mean a certain level of competence is guaranteed by the public schools. If we accept the contention that the agency most concerned about students' comparative performance in school is the school itself, we may be able to avoid the over concern associated with the marking of handicapped students in regular classrooms.

INTENT OF PURPOSE. Our purpose is not to mandate a specific alternative procedure for grading mildly handicapped students but rather to give you some rationale and choices in grading.

Traditional grading and reporting systems do not adequately reflect the philosophy or intent of Public Law 94-142. The traditional system of comparing the individual with the rest of the class is no longer appropriate. There is little merit in verifying that the student does not perform as well as others on traditional tests, when his/her reading and writing deficiencies are well documented. Grades must begin to provide more descriptive information by showing individual student gains and identifying specific needs for improvement.

In order to ensure that grade reporting becomes more descriptive about the student's relative achievement, the following functions may need to be addressed:

- The student's current level of performance,
- The student's readiness for future units of instruction,
- The quality of the student's performance,
- The effort put forth by the student,
- The student's ability to relate and work with others, and
- The relative improvement of the student's performance compared to past records.

When compared to this standard, traditional systems seem to be wanting. It is hoped that as educators objectively view what is being done currently with our grading system in evaluating handicapped students, changes will occur.

One of the problems commonly cited in the use of traditional grading procedures is how are the marks determined. In many of the courses of study in our schools, a majority of the grade for a course is determined on written work and tests. The mildly handicapped student may often have extreme difficulty in completing writing tasks. These tasks may not, therefore, adequately reflect the student's knowledge level. Alternative or supplementary ways of evaluating and reporting student progress could include some or all of the methods listed below:

- class interaction and discussion;
- class projects;
- papers;
- verbal reports;
- student interviews;
- peer teaching; and
- modified tests, i.e., verbal, performance, shortened.

With utilization of some of the above techniques, the teacher may not need to make a modification in the grading system. Instead, the strategy might be to employ alternative ways of assessing the student's progress toward the course objectives.

GRADING OPTIONS: We would like to offer three (3) options for grading mildly handicapped students in mainstream classes. Each will be discussed in terms of advantages, disadvantages, and suggestions for implementation. The special education teacher, having the primary responsibility for the educational program provided for his/her students, should call a meeting to determine if one of the options would best serve the students needs. The meeting might have the following people in attendance: 1) regular class teacher, 2) the student, 3) the student's parent/guardian, and 4) the special education teacher. The meeting should be held in the first five (5) weeks of the semester or sooner whether for yearly or semester courses. If the Contract or Pass/Fail options are to be used, it would be beneficial to have these written up at that time. Our current system of monitoring and reporting student progress will continue, regardless of the option chosen.

CONTRACTS*

The contract is merely an agreement between the classroom teacher and the student about the level of performance to be maintained in order to obtain a specific grade. A good contract might include the following:

- ——types of work to be completed by the student;
- ——the quantity of work to be completed by the student;
- ——an agreement as to how the grade for the student will be determined;
- ——a statement of how the quality of work will be determined;
- ——the signature of the involved parties, e.g., teacher, student, special education teacher; and
- ——timelines for the completion of work, when appropriate.

*SEE ADDENDUM #1

Advantages:

...clearly identifies for the student what is expected,
...subjectivity on the part of the teacher is reduced because the quality and quantity requirements are stated in advance,
...diversity of tasks and assignments is encouraged for students,
...competitive grades are discouraged because the criteria for grades is determined for the individual student, and
...recognizes the ability of the student to participate in goal setting.

Disadvantages:

...creates additional record keeping for the teacher,
...quantity of work rather than quality can be overemphasized,
...difficulty in finding creative ways to measure student's performance.

Implementation: The two most important criteria for a contract are that it should be written in simple, easy-to-understand language; and provide for a commitment among the participants. The process of contracting involves a modified problem-solving approach on the part of the teacher and student. The teacher needs to be aware of the options available and acceptable for the student to demonstrate knowledge or competence in the classroom. The resulting contract could provide alternative strategies for the student mastering information in the course and alternative methods of evaluating the student's progress towards the stated objectives.

The contract is one of the most widely used methods of accommodating the mildly handicapped student in mainstream classrooms. Of the three (3) options we will discuss, contracting is the most highly recommended.

PASS/FAIL

In this model, only the minimum competencies for the course or for individuals need to be determined. The successful completion of the minimum level or exceeding the minimum level permits the student to receive a grade of pass or "P". Students not reaching the minimum criteria fail or receive an "F". The minimum competencies for the course or for an individual need to be determined before implementing this option.

Some areas to consider when determining minimum competencies for your course might include: 1) the attendance of students, 2) completion of daily assignments, 3) class/individual projects, 4) class participation, and 5) tests. The following is an example of how this might look:

In order for Bob Smith to pass English I and II, he must:

1. Be in attendance 80% of the time
2. Complete 60% of the daily work with 50% accuracy
3. Complete the class project; with peer assistance if necessary
4. Participate in class discussion when called on

5. Complete all tests with a score of at least 50%

Ed Jones	Bob Smith	Rose Blue
English Teacher	Student	H.I. Teacher

Advantages:

...less pressure placed on students for competition,
...less anxiety on the part of the students,
...relieves the teacher of the responsibility of competitive evaluation of students' work, and
...requires careful examination of the student's relative abilities and disabilities.

Disadvantages:

...teacher may not provide corrective feedback in weak areas,
...passing grade is meaningless in distinguishing between students with differing abilities,
...some students do less work when freed of the pressure of a traditional grade,
...presents the same pressure on students close to failing, and
...minimum standards may be arbitrary and difficult to define.

Implementation: The pass/fail system does not require many modification in present procedures on the part of the classroom teacher. The key is to establish the minimum competencies for the course and to determine what each student should do for a passing grade. The major concern is whether the student reaches the designated competencies or skill level rather than how has the student performed in comparison with other students. The teacher still needs to utilize a number of different types of evaluation techniques to measure the students' progress toward the competencies.

COMPETITIVE SYSTEM

This form of grading system assumes that 1) the student does not require special education in that area, and 2) the student can meet the regular requirements for the course. Although the student may receive additional support including adjusting the evaluation method and time needed to take tests in order to accommodate his/her handicap, the standards themselves should be the same as for nonhandicapped students. This option will generally be used only for resource students who have only minimal contact with a special education program.

Advantages:

...easy and convenient for use by the regular classroom teacher,
...fairly good predictor of future grades, and
...readily accepted by most parents and higher ability students.

Disadvantages:

...produces anxiety for students,
...provides for unfair competition for students,
...meaning may vary between individual classes, and
...probably does not relate to any future performance in the world of work.

SUMMARY

In grading students who are mildly handicapped, it is desirable to have a number of alternative ways of assessing the students' progress towards the intended objectives of the class. Most often, student progress is measured by some type of testing procedure. Some points to remember in developing testing procedures in the classroom are:

...a variety of options to match the unique strengths and weaknesses of students should be available;
...a variety of measuring techniques for student skill attainment, e.g., class projects, class interaction, etc., should be available; and
...variation in the testing process should be provided, e.g., verbal, shortened, etc.

It is our hope that this paper will assist you in reviewing some options and procedures when you are considering grades for mildly handicapped students in your classroom.

ADDENDUM #1

STUDENT CONTRACT

I, (student), agree to complete the following objectives and activities by the end of the semester, January 15, 1985:

1. Complete daily work at 80% accuracy
2. Do an individual project — interview someone over age 50
3. Contribute to class discussions
4. Pass all quizzes, unit tests, and semester exams with a minimum of 70% accuracy

_____ _____

Student signature (Date)

I, (teacher), agree to award a grade of __B__ upon completion of all objectives and activities listed above, if completed by January 15, 1985.

_____ _____

Teacher's signature (Date)

Credit & Diploma

Prior to the development of special education programs at the secondary level, students with disabilities usually dropped out of school to enter the work force. The tasks of securing employment and maintaining economic self-sufficiency, however, are more complex than they were fifteen to twenty years ago and handicapped individuals are finding that employment and economic self-sufficiency are difficult to attain without completing a secondary school program and holding a high school diploma (Sargent, 1981).

Like their nonhandicapped classmates, students with disabilities need the incentive of receiving a diploma to remain in school past the legal dropout age. Even though their educational program may need to be adjusted in order to provide a program that appropriately accommodates their unique strengths and weaknesses, students with disabilities do deserve the same recognition for their efforts as nonhandicapped students (Sargent, 1981).

With the passage of the Education for All Handicapped Children Act (P.L. 94-142) in 1975 and Section 504 of the Rehabilitation Act of 1973, students with disabilities were guaranteed the right to an appropriate public education. Inherent in this right is the assumption that students with disabilities will have the opportunity to complete their education and graduate from high school with a diploma (Ross and Weintraub, 1980). As a result, secondary school programs developed at a rapid pace nationwide to meet the mandates of P.L. 94-142 and Section 504, and students with disabilities have been completing high school at a greater rate than in the past.

Unfortunately, the provision of secondary school programs for students with disabilities has not necessarily insured their graduation from school and receipt of a diploma. In conducting an analysis of state statutes, rules and regulations, and a review of relevant litigation, the Policy Options Project of the Council for Exceptional Children (Higgins and Hockenberry, 1979) found inconsistencies across the states and even within states regarding graduation requirements for students with disabilities and provisions for awarding diplomas to students with disabilities.

The situation in Iowa doesn't appear to be any different. In 1977, Courtnage reported that of 73 school districts responding to a survey regarding diplomas and students with mental disabilities, regular diplomas were awarded by 36 districts; "modified" diplomas were awarded by 33 districts; 3 districts granted certificates of attendance; and 1 district did not award a certificate of attendance or a diploma. It needs noting, however, that a majority of the districts failed to report their graduation practices in this study.

Riggs (1981), in surveying all the high school principals in Iowa with an 81 percent return rate, found that 66.5 percent of the districts granted a regular diploma; 12 percent awarded a regular diploma only if district graduation requirements were satisfied; 11 percent awarded

regular diplomas to "some" special education students; 5.9 percent granted a modified diploma -- "special education" or "work study"; 3.6 percent awarded a certificate of attendance; and 1 percent offered no diploma or certificate.

While no single best practice has been identified to resolve the issues surrounding graduation and diplomas for students requiring special education, both areas have come under close scrutiny by the courts. The outcomes of litigation in these areas can be used in establishing parameters for policy development and practice. The 1979 report of the CEC Policy Options Project (Higgins and Hockenberry) on graduation requirements and students with disabilities reviewed such litigation. The report indicated that there were court precedents dealing with the rights of students inherent in the 5th and 14th Amendments, protecting against discriminatory, exclusionary or arbitrary application of educational standards and policies to any class or group of students, such as students requiring special education. While the impact of these rulings on similar cases specifically involving students with disabilities has not yet been fully determined, it does appear a policy or practice by a school district that singles out a certain group or class of students for different treatment, such as a "different' diploma or no diploma, would be a prime candidate for litigation. In addition, it appears that the arbitrary application of school policies to students with disabilities would not fair well in the courts. For a more detailed review of the relevant litigation, the reader is referred to Appendix A.

The statutory reference to graduation in Iowa school laws is in Section 280.14, School Requirements, Code of Iowa. The section states, "The board or governoring authority of each school or school district... shall establish...graduation requirements..." The specific courses that students must attend according to statute are American history, Iowa and United States government, and physical education. The law requires only that students participate in the three courses, not that they "pass" the courses.

Currently, neither Iowa school statutes or administrative rules require districts to award a diploma to students completing board-adopted graduation requirements. However, the Iowa Supreme Court ruling in Valentine v. Independent School District, 191 Ia. 1100, 183 N.W. 434 (1921), established the precedent for districts to award proof of completion of graduation requirements (Bartlett, 1981).

The local school boards of Iowa have broad discretion in establishing graduation requirements and the awarding of diplomas or some other proof of completion of graduation requirements (Bartlett, 1981). The intent of this paper is to provide local districts with recommendations for the development and application of school policies and practices regarding graduation of students with disabilities. The paper presents four "guiding principles" school districts should consider in developing policies and procedures about graduation for students with disabilities. Each principle is accompanied by a rationale and suggested application.

This paper is based on two tenets. First, to make students with handicaps settle for less than their nonhandicapped peers simply because the manner in which graduation requirements were satisfied was different

is to deprive students with handicaps of their guaranteed constitutional rights. Second, policies regarding graduation, credit and transcripts can be established that are realistic, meaningful, and equitably applied to all students.

Principle 1: School districts shall permit students with disabilities to generate credit towards graduation through special education provided that the special education program is not a tutoring program and the special education program is clearly defined by the student's Individualized Education Program (IEP).

Rationale. With rare exception, local school boards have established credit and content or subject area requirements as an indicator of high school graduation. These requirements establish the basis for awarding diplomas. By establishing a policy of awarding credit through special education programs, the school district provides both the incentive and opportunity for students with disabilities to earn a diploma just as their nonhandicapped peers. By excluding tutoring programs as credit-earning opportunities, the district avoids duplication in awarding credit. While both Federal and state statutes, rules, and regulations require the documentation of a handicapped student's special education program through an IEP, relating the various content or subject-area components of the IEP to specific credit requirements provides a basis for determining whether a student is satisfying a district's specific credit requirements.

Application. There are a number of options available to school districts that want to pursue the issuance of credit through special education. A district will probably need to draw upon a combination of options in order to develop comprehensive policies and procedures. The order in which the options are presented does not imply, either explicitly or implicitly, any aspect of preference or value.

Before discussing the options, several concepts need clarifying:

1. Equivalent credit for equivalent time. The amount of credit a student generates through a special education program should be based upon a district's existing policy. For example, if 120 hours of instruction generates 1 credit, then the same standard should be used with the special education program.

2. Board-adopted curriculum and the IEP. The Iowa Administrative Code requires an IEP for each student requiring special education [670-12.18(2)] and district-sponsored curriculum for special education instructional programs [670-12.10(9)(b)]. The two requirements are sometimes cited as being contradictory. How is a student's educational program to be individualized, as required by the IEP, when the special education programs have a preestablished curriculum?

   If a district has adopted an alternative curriculum for special education programs that outlines content, instructional time and credit for each content area, then IEP teams would use this information to develop IEPs reflecting the abilities and

needs of each student served by special education. Obviously, IEP teams will need to be attentive to individual differences so that every student isn't expected to achieve every skill listed in the alternative curriculum or that more able students are prohibited from receiving part of their instruction in the regular program or prevented from expanding their development beyond the preestablished special education curriculum. In other words, the preestablished alternative curriculum for special education programs serves as a benchmark for IEP development, but does not establish firm content limitations that restrict student progress and development.

3. Variability in handicap. Some students requiring special education, such as students with mild vision, hearing, speech, or physical disabilities can participate in the regular education program and satisfy credit requirements for graduation as established by the district. Other students, however, require modifications that accommodate the nature and severity of their disabilities. The modifications can range from minimal modifications to the regular program to a complete alternate curriculum. This variance in students requiring special education needs to be considered in the development of credit and graduation policies and procedures.

Option: Course Substitution. In this option, students are provided the opportunity to substitute comparable regular education classes or courses for district-required courses. For example, a deaf student would be permitted to substitute a music history or art appreciation course for a required course in music appreciation. Or conversely, a blind student would substitute a music appreciation course for an art appreciation class. "Whenever a student's handicap makes participation in a course inappropriate, another course should be substituted which satisfies the intent of the requirement (p. 6)." (Barresi and Mack, 1980)

Option: Resource Program Instruction. Placement in a resource teaching program implies that the regular curriculum is, for the most part, appropriate for the student. The instructional content of the resource program may support or offer alternative curriculum (supplant) to specific classes or courses of the regular program. Equivalent credit for equivalent time would be provided through the resource program in those cases in which the resource program provides an alternative curriculum for a required class or course. For example, a student with a learning disability who has a severe disability in written expression would receive credit for developmental and remedial instruction in written expression provided by the resource program in lieu of a composition class requirement of the regular program. Or, a student with a communication disability that limits oral expression would receive credit for resource instruction directed at improving oral expression abilities in lieu of a speech class. For some students, a particular class or course requirement could be shared by the regular program and resource program; for example, a learning disability student might receive certain units of instruction for a general mathematics class in the regular program and the remaining units in the resource program.

In using this option, a distinction needs to be made between instruction that is solely tutorial in nature and instruction that is credit-generating. If a student's resource program instruction is solely tutorial or supportive in nature, including only activities such as assistance with homework assignments, assignment completion, preparing for tests, assistance with class projects, and reading regular class tests, then credit should not be provided. In such circumstances, the focus of the resource program is on helping students "get by" in regular classes, and providing credit for resource program time would essentially duplicate the credits a student is earning through classes of the regular program.

Option: Special Education Curriculum Paralleling the General Education Curriculum. With this option, an alternate special education curriculum is developed that parallels the regular curriculum; that is, for every required course of the regular program, there would be an alternate special education course addressing similar content. The basis for this option is the belief that the basic goals and content of education apply to all students, only the level or intensity of instruction, instructional techniques and strategies, and rate of learning vary. This option is particularly useful for special classes with integration since such programs are intended to provide more regular program participation. The use of a parallel curriculum - a curriculum that maintains the basic goals set for all students with modifications in pace of instruction, materials, and coverage of details should facilitate the integration of the regular and special education programs.

Option: Alternate Special Education Curriculum. In this option, a special education curriculum is developed that is distinctly different from the regular program curriculum. The alternate curriculum departs from a strictly academic orientation emphasizing instead the learning and behavioral needs of students with disabilities (Long, D., et al, 1987). The focus in this option is on functional life skills and defining credit requirements in terms of functional areas of instruction rather than required courses. An example of the later is presented in Figure 1.

Option: Work Study Programs. This option provides students with the opportunity to generate credit for graduation through the exploration of careers in a variety of occupational fields. The program provides in-class instruction on functional skills for independent living and is pertinent to the careers being explored. The option also provides the opportunity for students to obtain on-the-job training in an occupation of their choice through a coordinated effort with local employers.

Principle 2: A tentative, long-range educational plan identifying how credit requirements for graduation will be satisfied shall be developed for each student requiring special education prior to the end of the ninth grade year.

Rationale. Students with disabilities as well as their parents not only have a need, but a right to be informed of a district's graduation requirements and the possibilities available to satisfy the requirements. By developing a tentative, long-range plan, students, parents, and school staff can project how the requirements can be met, project any unusual or

FIGURE 1

Instructional Hours and Credits for an Alternate Special Education Curriculum*

Vocational Domain		
960 Instructional Hours	Vocational Training In-School	8 Credits
960 Instructional Hours	Community Vocational Experience	8 Credits
Community Domain		
120 Instructional Hours	Stores	1 Credit
120 Instructional Hours	Restaurants	1 Credit
120 Instructional Hours	Transportation	1 Credit
240 Instructional Hours	Problem Solving	2 Credits
240 Instructional Hours	Community Awareness	2 Credits
Domestic Domain		
120 Instructional Hours	Meal Preparation	1 Credit
120 Instructional Hours	Personal Health Care	1 Credit
120 Instructional Hours	Housekeeping	1 Credit
240 Instructional Hours	Clothing	2 Credits
Recreation Leisure Domain		
120 Instructional Hours	Home/Indoors	1 Credit
120 Instructional Hours	Neighborhood/Outdoors	1 Credit
120 Instructional Hours	Community/Indoors	1 Credit
120 Instructional Hours	Community/Outdoors	2 Credits
		32 Total Credits

*From Willson Beardshear School, Ames Community School District, Ames, Iowa.

unique circumstances that might require special consideration and treatment, and maintain an ongoing record of requirements that have been satisfied and the requirements yet to be satisfied. Of course, by using the long-range plan as an attachment to the IEP, prior notice of anticipated graduation can be satisfied. See Education [670]-12.18(2)(d)(8), Iowa Administrative Code.

Application. A recommended long-range plan format is presented in Figure 2. The form provides space for entering course titles and credits by semester by year. It also provides space for projecting the date of graduation, the date of completing each course, and parent signatures for each year. The reverse side of the paper can be used to list a district's graduation requirements. The requirements would be outlined by curricular area with the corresponding credits required in each area for graduation. An example of such a listing is presented in Figure 3.

The tentative, long-range plan is intended as a means for projecting how credit requirements will be satisfied beginning with the freshman or ninth grade year. As such, it is a working document presenting an anticipated plan for satisfying graduation requirements, not an unchangeable course of study. IEP teams could make changes annually or more frequently as student needs change and as classes are passed, failed, or not completed. It is intended that changes be made on the original form so that multiple copies of the same form are avoided and confusion over which form presents the current plan is eliminated.

The Iowa Administrative Code, 670-12.18(2)(d)(8), indicates that each handicapped student's IEP shall include: "A statement of the projected date of graduation at least eighteen months in advance of said date and the criteria to be used in judging whether graduation shall occur. Prior to graduation, the IEP team must find that these criteria have been met." By using the long-range planning format as part of each student's IEP, the "18-month" prior notice of anticipated graduation is satisfied, provided the projected plan is reviewed and updated as necessary at each annual review. The 18-month prior notification does not apply to students who move into the state during their senior year or students who are initially identified as requiring special education during the second semester of their junior year or during their senior year. However, if the long-range plan concept is used in these circumstances, the students and their parents are rightfully informed of anticipated graduation.

The tentative long-range plan provides the IEP team with a method of insuring:

1. long-range planning of IEP goals and objectives to facilitate the fulfillment of graduation requirements.
2. parent and student involvement in long-range planning and resolving problems in satisfying graduation requirements.
3. a systematic means for keeping students "on track" in terms of graduation requirements and addressing unique needs of individual students that impact graduation requirements.
4. an opportunity to target the need for transitional services and plan for such services and plan for such services in advance.
5. an opportunity to identify the need for a nontraditional ending to high school; e.g., a 5th year of high school.

FIGURE 2

Sample Long-Range Planning Format

NAME: SCHOOL: PROJECTED DATE OF GRADUATION:

	FRESHMAN			SOPHOMORE			JUNIOR			SENIOR		
	COURSE TITLE	CR	DATE COMP	COURSE TITLE	CR	DATE COMP	COURSE TITLE	CR	DATE COMP	COURSE TITLE	CR	DATE COMP
TOTAL												
	Parent Signature	Date		Parent Signature	Date		Parent Signature	Date		Parent Signature	Date	

CR = Credit

FIGURE 3

Sample of Required Units of Credit Listing for
Long-Range Planning Format

English - Language Arts -	7 units
Mathematics -	5 units
Occupational/Career/Vocational Education -	5-10 units
Physical Education -	4 units
Science -	4 units
Health Education -	2-3 units
Social Studies	4 units
including U.S. History -	1 units
American Government -	1/2 unit
Electives include: -	6 units

Fine Arts

Driver Education

Sex Education

Study and Test Taking Skills

Safety Education

Communication Skills

Typing

Principle 3: Students with disabilities satisfying the credit requirements for graduation and completing the program defined by their IEPs shall be awarded the standard diploma, participate in graduation activities, and be afforded the amenities provided to all other graduating students.

Rationale. A high school diploma represents the satisfactory completion of a prescribed number of required and elective classes or courses. Achievement standards and level of sophistication in course content are determined by each local district. Thus, the meaning of a diploma in terms of level of achievement or content difficulty can vary widely from district to district. Similarly, school districts customarily grant the same credit for an American literature class as they do a practical or business English class, and comparable credit is awarded for a woodworking class just as it is for a physics or chemistry class. Since equivalent credit can be given to students with disabilities receiving an educational program appropriate to their needs through special education and the credit requirements of the district maintained for the students with disabilities, then the denial of a diploma, or the awarding of a differentiated diploma or certificate of attendance would be inappropriate.

Since American people are highly mobile, it is inappropriate to assume that students with disabilities will necessarily remain in their home communities. Young people leaving their home communities to find work or pursue special interests must compete with individuals from other areas of the state and nation. Students with disabilities whose districts grant diplomas have a distinct advantage in competing for employment over similarly handicapped individuals who have not been awarded a diploma. The school district that doesn't grant diplomas to students with disabilities, in effect, compounds the handicaps of those students it is responsible for educating (Sargent, 1981).

The routine practice of awarding a certificate of attendance to students with handicaps requiring special education provides little, if any, benefit to the student or the school district. The certificate solely indicates that the student attended school. The document does not discriminate students with frequent, regular attendance from those with infrequent, irregular attendance, nor does it represent a standard of achievement or performance of the student. A student can make no effort to learn, learn nothing and attend infrequently, yet receive a certificate. Furthermore, such a practice does not hold the instructional staff accountable for documenting what has been taught or what a student has accomplished. As a result, the routine practice of awarding certificates of attendance to students participating in special education should be viewed as unacceptable.

Application. The application of this principle is self-evident. If a student requiring special education satisfies a district's credit requirements for graduation as described in his/her IEP, then the student will be granted a diploma as any other student and be permitted to participate in all graduation activities. For those students requiring special education attending a school district other than their home district or district of residence in order to receive an appropriate special education program, the district directly providing the special

education program should be responsible for graduation and the awarding of a diploma.

Principle 4: The school transcripts of students with disabilities shall accurately reflect their educational program by noting any graduation requirements satisfied by an individually prescribed program.

Rationale. The real issue in graduating and awarding diplomas to students requiring special education is the meaning of the diploma and the public demand that a diploma "mean something." The argument is made, for example, that employers need to predict a student's job performance and rightfully should expect a certain level of proficiency from a high school graduate holding a diploma. Parents and students prefer to view a diploma as an award recognizing attainment of a certain level of educational proficiency and are justifiably dissatisfied when the historic symbol of pride in accomplishment loses its meaning (Barresi and Mack, 1980). Unfortunately, while a high school diploma has a certain cultural and economic significance, its intrinsic value differs across the nation and even within states (NASSP, 1975). As noted earlier, a diploma signifies satisfactory completion of a prescribed number of required and elective classes or courses with the significance regarding level of achievement and sophistication of course content varying from district to district and student to student. For example, the diploma does not discriminate the last student on a graduating class' list of standing from the class' valedictorian.

In order to address the legitimate concerns of the public for a document which tells what a student has accomplished in school, the school transcript should become the document of concern. The transcript presents each student's educational program along with his or her performance in the program.

Application. The transcript usually presents a course title along with a grade and the number of credits awarded for completion of the course. In some cases, the teacher's name is also presented. A sample transcript is presented in Figure 4.

The transcript must be comprehensive enough to accurately reflect a student's educational program. On the other hand, the document must be concise enough to be manageable so as not to create a record-keeping burden for school staff.

In entering course titles or areas of study for students with disabilities, sensitive treatment of course titles is in order. Titles such as Mathematics - Individually Prescribed, American Literature - Specially Designed, or American History - Modified, or Science - Alternative Curriculum is preferred to Special Education Math or Special Education Geography.

CONCLUSION

Questions regarding the issuing of credit towards graduation through special education programs and the awarding of diplomas to students with handicaps requiring special education are surfacing more frequently now than in the past. The granting of diplomas to all students, including

FIGURE 4

Sample School Transcript

Name _____ AEA File # _____
School _____
Anticipated Date of Graduation _____

Year _____ Year _____

1st Semester	Grade	Credit	2nd Semester	Grade	Credit
Total ____			Total ____		

Year _____ Year _____

1st Semester	Grade	Credit	2nd Semester	Grade	Credit
Total ____			Total ____		

Year _____ Year _____

1st Semester	Grade	Credit	2nd Semester	Grade	Credit
Total ____			Total ____		

students with handicaps and enrolled in special education programs, requires careful planning, exploration and consideration by the school district and community. Parents, teachers and administrators need to cooperate in the development and application of policies and procedures that are fair, equitable and realistic, and that are clearly communicated to students, staff and the community.

The position taken in this paper is that policies and practices on graduation can be developed that are nondiscriminatory and equitable for both students with handicaps and their nonhandicapped peers. By developing policies and practices that include students with handicaps, a school district provides an appropriate incentive for the students to graduate and recognition for their efforts, reinforces staff and district accountability and accurately represents itself to the public.

Four principles for guiding the development of policies and procedures have been presented that tie the awarding of a diploma to credit requirements, curriculum, IEPs and transcripts. The rationale for each principle has been discussed and a variety of options and applications have been proposed to facilitate the process of translating policy into practice. The goal of including students with handicaps who are enrolled in special education programs in all aspects of graduation from high school is not only admirable, but attainable without compromising the integrity of a district's programs or practices.

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APPENDIX A

RELEVANT LITIGATION - A REVIEW

[The following material is reprinted from Higgins, S., and Hockenberry, C. (1979), Policy Options Regarding Graduation Requirements and Their Impact on students with disabilities (pp. 36-42), Policy Options Project of the Council for Exceptional Children, Reston, VA.]

The issue that has raised the public consciousness of late is the value of a high school education and more specifically a high school diploma. This "valuableness" has come under close scrutiny by citizens' groups, business and vocational institutions, the political arena, as well as in the courts. In the State ex rel. Sageser v. Leaketter (1978), a Missouri high school student was denied a diploma by the School Board. The student, who had been suspended from school and refused to return after suspension for the remaining eight weeks at the close of his junior year, had completed the required number of credits needed for graduation by the end of his senior year. The Board refused to issue a diploma to said student because he had not fulfilled the Board's consecutive semester attendance requirements. The court found that the action of the School board had been arbitrary and the attendance rule had been applied unreasonably and unequitably to an otherwise qualified candidate. The court by writ of mandamus, ordered the Board to issue the student a diploma.

The holding in this case has significance to students with disabilities because the court determined that any rule applied arbitrarily and unequitably to otherwise qualified students was discriminatory, and as such, grounds for retribution. Some students with disabilities are mentally and emotionally capable of competing with their nonhandicapped peers in scholastic endeavors when modifications are allowed as to thee manner in which they compete. Blind students need braille, large type, or "talking books;" deaf students need hearing aids and/or visual cues and the physically handicapped need to use instruments such as typewriters instead of paper and pencils, in order to compete. To make a handicapped student settle for less than different is to add insult to injury and to potentially deprive the handicapped student of guaranteed constitutional rights. (In the State ex rel. Sageser v. Leaketter, 559 S.W. 2d 230 (1978) in S.L.B., April, 1978.)

In another case, Mahavongsanan v. Hall (1976), a foreign student was denied a degree from the graduate school of Georgia state University school of Education because she had not successfully passed a comprehensive exam which was instituted six weeks prior to the plaintiff's completion of her courses. Plaintiff had completed all the course requirements and maintained a "B: average, which were the only qualifications so stated by the university at the time of her enrollment. The Court held that the university "breached a contract" with the plaintiff which was in effect and so stated in the university's own catalogues and bulletins. Moreover, the Court rules that withholding the degree is a deprivation of a valuable property right without due process and is a constitutional violation. The university as ordered to grant the

degree. The case was reversed on appeal to the 5th Circuit Court of Appeals which decided that substantive due process was not violated by the university in that the notice was deemed timely by the Court in this instance. However, the questions of timely notice and (the diploma as a) valuable property were considered substantive issues by the Court and grounds for retribution. The implication of this decision for students with disabilities is that arguments can be advanced that address the issue of timeliness in implementation of any test and more specifically competency-based tests as a graduation requirement. Also, advocates for the handicapped could argue that the possible deprivation of a diploma as a result of failure to perform to standard on a competency test could be grounds for a writ of relief in that a valuable property right (diploma) was denied without equal protection of the law. (Mahavongsanan v. Hall, 529 F. 2d 448 (5th Cir., 1976) 401 F. Supp. 31 (1976) 531 F. 2d 575 (1976) in S.L.B. June, 1976.)

Questions of valuable property right, right to appropriate education and breach of duty (to educate) have also been addressed in two recent "educational malpractice" cases: Doe v. San Francisco Unified School District and Donohue v. Copiaque Union Free School District. These cases have implications for the handicapped with respect to graduation requirements. In the Doe case, the practices of the school system were upheld but the option for further litigation on the grounds of a student having to demonstrate achievement of a State mandated reading level before issuance of a high school diploma could develop. In the Donohue case the appeals court affirmed the district court ruling that an individual student may not sue education officials for educational malpractice on breach of duty (to educate) grounds. The Donohue case is distinguished from Doe in that the court ruled that the State (N.Y.) constitution's education provisions "were not intended to protect against the 'injury' of ignorance and that it is not within the judicial function to evaluate conflicting theories of education." The court in the second case ruled no precedents and that policy considerations alone bar education malpractice lawsuits. (Donohue v. Copiaque Union Free School District __A.2d__ (St. App. Ct. 1978).)

The first case is Peter Doe v. San Francisco Unified School District (1977), wherein the plaintiff, a recent high school graduate, contended that the defendant failed to provide him with adequate instruction in the basic academic skills. He (Doe) was graduated from high school without being able to read on an eight grade level as required by state law. His claim is negligence on the part of the school system in breaking a duty, and breach of promise, to provide him with the proper instruction, and to accurately report to his parents the extent of his reading disabilities. The court held that no liability was incurred by the school system either in negligence to perform an alleged duty of care (to instruct) to plaintiff, on solely attendance at school reasons; or on the companion issue of misrepresentation to his parents by the schools of the reading ability level of the plaintiff. The implications for students with disabilities with respect to graduation requirements lies in whether the application of State school standards and regulations is equitable and nondiscriminatory to certain classes of students. (Doe v. San Francisco Unified School District, 131 Cal. Rptr. 854) in (S.L.B. Feb., 1977.)

In the second case, Donohue v. Copiaque Union Free School District (1978), a lawsuit was filed by a former student of the school district charging the school officials with negligence. He (Donohue) stated that the school district had violated education requirements of the state constitution because he was permitted to graduate, even though he had filed several subjects and lacked basic reading and writing skills. The court ruled that the plaintiff had no grounds for cause in bringing a malpractice suit of this nature. The appeals court further ruled that permitting such lawsuits would "require the courts to oversee the administration of the public school system." The court added that the claim of educational malpractice would be difficult to prove, since "the failure to learn does not bespeak a failure to teach." (Donohue v. Copiaque Union Free School District __A.2d__ (St. App. Ct. 1978).)

The implications, for students with disabilities, of both Doe and Donohue lies in the application of state standards for academic achievement and what provisions, if any, cause exclusion for certain classes of students to be permitted in either curriculum, programs, or awarding of a diploma.

Usually the judiciary is a last resort, after other administrative channels or remedies have been exhausted. However, in the Robinson v. Cahill (1975) case, a New Jersey court, in trying to define the article in the state constitution that required the state to have a "thorough and efficient system of schools," ordered the implementation of a statewide minimal competency testing program (Wise, 1978). The lawsuit was originally brought on behalf of certain New Jersey communities which claimed unequal protection of state law in educational expenditures by the state to localities with differing tax bases. In trying to make a determination of the extent of the state's fiscal responsibility to the schools, the court ordered: "(1) establishment of educational goals; (2) instruction intended to produce the attainment of reasonable levels of proficiency in the basic communications and computational skills; (3) evaluation and monitoring programs." (Robinson v. Cahill 351 A. 2nd 713 (1977).) The holding of this case is significant for two reasons: (1) the state legislature was instructed to implement and supervise a system of educational checks and balances (accountability) vis a vis minimum competency testing with standardized tests and 92) Robinson is the only (as yet) general school finance case which has come close to utilizing terminology and language found primarily in exceptional child litigation (Singletary, Collings, and Dennis, 1977). The case made use of other terms, "equal access to educational programs," "thorough and efficient level of education," and "differing needs of pupils" (Singletary et. al., 1977). Robinson is also distinguished from previous exceptional child-school finance cases (i.e., McInnis v. Shapiro and Burruss v. Wilkerson) in that it recognized both "(a) equal access to wealth, and (b) provisions for educational needs of students or 'differing needs'" (Singletary et. al., 1977).

Whether the state accountability and testing program mandated by Robinson ultimately helps or hurts students with disabilities has yet to be proven. One impact of this legislation is already being felt in New Jersey in teachers' evaluations, and the New Jersey Education Association

(NJEA) is threatening to sue that state. The issue causing concern is the intent of the state legislature to use students' performance on standardized tests as a means to evaluate teachers and also as grounds for dismissal of even tenured teachers. The state board of education teacher accountability plan would not penalize teachers, whose students do not do well on the tests, but, the teacher will be required to meet with an evaluator, who will take the (low) students' test scores into consideration for the teacher's job evaluation.

Some possible outcomes of a policy decision as New Jersey's would be to cause the exclusion of slow learners or students with disabilities (1) from being "mainstreamed" into regular classes, (2) from taking standardized tests (so that school systems can be protected against the possibility of negative skewness in the test results) and (3) from taking minimum competency tests so as to cause them to be eliminated from courses, requirements and programs leading to a high school diploma. Teachers will be reluctant to have students with disabilities included in their classes, if their jobs or promotion possibilities could be curtailed because of low scores, by this group, on mandatory testing programs. The very real emergence of tracking programs, in the guise of remedial education to help those students who "fail" competency tests, has become an issue of some concern to both parents and educators.

Tracking systems for placement of minority and poor students were successfully litigated in Hobson v. Hanson, 369 F. Supp. 401, 514 (D.D.C. 1967) by application of the equal protection and (by implication) rights to education clauses under the 14th Amendment. The case was also affirmed on appeal to the D.C. Circuit court of Appeals in Smuck v. Hobson, 408 F. 2nd 175., (D.C. Cir. 1969). Also, the landmark case of Diana v. State Board of Education of California, C.A. No. 3-370 RFP (N.D. Cal. Jan. 7, 1970 and June 18, 1973 (in Law Briefs et al. 1977), safeguarded the rights of minority students from being placed into programs for the retarded on the basis of a single test.

The "single test" example is significant in that past proven discriminatory practices of a school system are taken into account when a school system initiates a testing program that could cause further segregation of students by either race or intelligence. The following case will illustrate this judicial thinking.

McNeal v. Tate County School District (1976), a case of ability grouping, was appealed by plaintiffs to the 5th Cir. Ct. of Appeals. The higher court reversed the decision of the district court which held that segregated classes for minority students were acceptable on the basis of a test of ability, since the school system as a whole was "unitary" and, therefore, the practice was not discriminatory and was considered "educationally sound" (McNeal v. Tate Co. School District, 508 Federal 2d 1017 (5th Cir. 1975) in S.L.B. June 1976).

The Hobson, Diana, and McNeal cases are significant for students with disabilities because the courts have ruled in the past that tracking systems and ability testing programs that cause discriminatory practices to occur in school systems are suspect and are not allowed under grounds

contained in the 5th and 14th Amendments of the U.S. Constitution. Another implication of state or local mandated testing programs whether standardized, or more recent, competency based, is that if these testing programs are hastily designed or implemented, then "timeliness" becomes an issue and due process procedures could be violated, especially if these testing programs are used for grade promotion or as a prerequisite for a regular high school diploma.

For example, a federal district court judge in Florida handed down a decision in Debra P. v. Turlington (1979), which challenged Florida's minimum competency program on the grounds that it was racially discriminatory. United States District Court Judge George C. Carr held that the test was not discriminatory but that a disproportionately high number of minority students had failed because they attended segregated schools during their first three years of high school. Consequently, the test cannot be used in Florida as a basis for awarding a diploma until 1982 because all students had a right to a greater warning that the test would be required for graduation. Undoubtedly, this decision could have considerable influence on legislation, litigation, and educational practice in other states in the future (Debra P. v. Turlington, U.S. District Court, No. 78-892-Civ.-T-C, 1979).